

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GEORGE IVAN LOPEZ,)	
)	Civil Action No. 06 - 43
Plaintiff,)	
)	Judge Terrence F. McVerry /
v.)	Magistrate Judge Lisa Pupo
)	Lenihan
DR. STANLEY FALOR, <i>MEDICAL DIRECTOR</i> ,)	
DIANE MANSON, <i>H.C.A.</i> ; JOHN MCANANY,)	
<i>R.N.S.</i> ; SHARLEY HICKMAN, <i>P.A.</i> ; NANCY)	
ZEIGLER, <i>P.A.</i> ; LOUIS FOLINO,)	
<i>SUPERINTENDENT</i> ; DIANE THOMAS,)	
<i>ADMINISTRATIVE STAFF</i> ; DAN DAVIS, <i>ACTING</i>)	
<i>GRIEVANCE COORDINATOR</i> ; SHARON M.)	
BURKS <i>CHIEF HEARING DIRECTOR</i> ; JEFFREY)	
A. BEARD, <i>SECRETARY OF CORRECTIONS</i> ;)	
BRENDA MARTIN, <i>CAPITAL CASE MANAGER</i> ,)	
<i>STATE CORRECTIONAL INSTITUTE AT GREENE</i> ,)	
<i>ADMINISTRATIVE STAFF AND MEDICAL</i>)	
<i>DEPARTMENT, ALL IN THEIR INDIVIDUAL AND</i>)	
<i>OFFICIAL CAPACITY</i>)	

ORDER

Plaintiff filed a motion to proceed in forma pauperis and a complaint with the Clerk of Court.

On February 12, 2006, the Court issued an order that granted the in forma pauperis motion and struck all of the Plaintiffs with the exception of Mr. George Ivan Lopez. The next step is for the Court to order the United States Marshals to effectuate service on the Defendants. The Plaintiff even filed a Motion for Service of Original Process Upon Defendants (Doc. No. 13). Before that can happen, however, the Plaintiff must provide the Court with a true and correct copy of his complaint for service as well as a separate Notice of Lawsuit and Waiver of Service and a "Process Receipt and Return" form (USM-285) (unless properly completed forms have already been forwarded to the Clerk) *for each defendant*.

The forms required for service can be obtained from the Clerk's Office. On these forms, he must give the full name and complete service address for each individual defendant. If Plaintiff fails to give the Marshal correct instructions for mailing to any defendant, his claims against that defendant may be dismissed pursuant to Federal rule of Civil Procedure 4 (m).

The copies of the complaint, however, are the responsibility of the Plaintiff. The Court is aware the possibility exists Mr. Lopez may not have the ability to make sufficient copies of the complaint¹ or to pay for the reproduction of his filed complaint. Therefore,

IT IS ORDERED this 3/8/ day of May, 2006, that Plaintiff Lopez provide the Court with a true and correct copy of his complaint for each named Defendant so that proper service might be effectuated no later than June 30, 2006.

IT IS FURTHER ORDERED that Plaintiff may, instead of providing copies of his complaint for service, file an amended complaint no later than June 30, 2006. Plaintiff would have to provide service copies of his amended complaint to the Court for each named Defendant. The ability to amend the complaint, however, would give Plaintiff the opportunity to determine what exhibits are essential at this time and, possibly, reduce the financial burden associated with service of process.

IT IS FURTHER ORDERED that Plaintiff's Motion for Service of Original Process Upon Defendants (Doc. No. 13) is **DENIED**. The Court will order service once it has true and correct copies of the Plaintiff's complaint or Amended Complaint.

¹ The Court notes there are 11 Defendants and the Complaint is 151 pages long.

IT IS FURTHER ORDERED that Plaintiff is allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.



Lisa Pupo Lenihan
United States Magistrate Judge

cc: GEORGE IVAN LOPEZ
CZ-3198
SCI Greene
175 Progress Dr.
Waynesburg, PA 15370